



Attorney's Docket No. 7331

PATENT

H/15/00  
3/22/3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Hansen, et al.

Serial No.: 09/899,492

Filed: 07/03/2001

For: MACHINE FOR INJECTING LIQUIDS

Confirmation No.: 2599

Examiner: Reginald L. Alexander

Mail Stop RCE

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

RECEIVED  
MAY 13 2003  
TC 1700

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
WITHIN THREE MONTHS OF FILING OR BEFORE MAILING  
OF FIRST OFFICE ACTION (37 CFR 1.97(b))

NOTE: "An information disclosure statement shall be considered by the Office if filed: (1) within three months of the filing date of a national application; (2) within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; or (3) before the mailing date of a first Office action on the merits, whichever event occurs last." 37 CFR 1.97(b).

NOTE: The "filing date of a national application" under 37 CFR 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark Office, the filing is defined in 37 CFR 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 CFR 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the national fee; (2) a copy of the international application, unless already sent by the International Bureau, and an English translation if filed in another language; (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the International preliminary examination report, if such annexes were made in another language. 37 CFR 1.97(b)(2).

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.10)

I hereby certify that this correspondence is, on the date shown below, being:

MAILING	FACSIMILE
<input checked="" type="checkbox"/> deposited with the United States Postal Service in an envelope with sufficient postage as Express Mail No. <u>EV208228752US</u> in an envelope addressed to: Commissioner For Patents, Mail Stop RCE, P.O. Box 1450, Alexandria, VA 22313-1450 on: <u>May 13, 2003</u> .	<input type="checkbox"/> transmitted by facsimile to the Patent and Trademark Office

Date: May 13, 2003

Signature

Antonia M. Holland

(type or print name of person certifying)

## IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 CFR 1.97(b).

**NOTE:** "No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing.

**NOTE:** "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 CFR 1.8, or Express Mail certificate under 37 CFR 1.10. An Office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

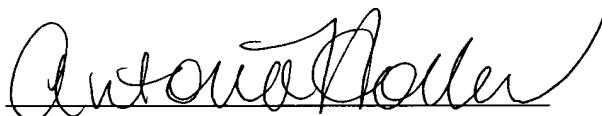
**NOTE:** "The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

**NOTE:** "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirement (37 CFR 1.142) or just a requirement for additional fees to have a claim considered (37 CFR 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

**WARNING:** "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 CFR 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner." Notice of July 6, 1992 (1141 O.G. 63).

Dated: May 13, 2003  
Reg. No. 53,840  
Tel. No.: (414) 298-8285

Customer No.: 22922



SIGNATURE OF ATTORNEY

Antonia M. Holland  
Reinhart Boerner Van Deuren s.c.  
Attn: Linda Gabriel, Docket Clerk  
(P.O. Address)  
1000 North Water Street, Suite 2100  
Milwaukee, WI 53202